

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF EMERALD HILL MINOR SUBDIVISION, 3200 21057 (TPM)

August 16, 2010

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program. The project site and locations of off-site improvements contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. The project is in conformance with the Habitat Loss Permit/Coastal Sage Scrub Ordinance, as detailed in the Draft Habitat Loss Permit dated August 2, 2010.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The project will obtain its water supply from the Rainbow Municipal Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Steep Slope section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Discussion:

Wetland and Wetland Buffers:

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year.

Floodways and Floodplain Fringe:

The project is in compliance. The project is adjacent to the Upper San Luis Ray River floodway/floodplain fringe area, but there are no proposals for any offsite uses or improvements that are located within the floodway/floodplain that would need compliance with the Resource Protection Ordinance. Therefore, it has been found that the proposed project complies with Sections 86.604(c) and (d) of the Resource Protection Ordinance.

Steep Slopes:

Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are steep slopes on the property however, an open space easement is proposed over the entire steep slope lands. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats:

Sensitive habitat lands include unique vegetation communities and/or habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife corridor. No sensitive habitat lands were identified on the site as determined on

a site visit conducted by staff in December 2007. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites:

The property has been surveyed by a county qualified archaeologist, Brian F. Smith of Brian F. Smith and Associates, and it has been determined that there are no archaeological or historical resources. The property is disturbed by avocado groves and a nursery. A condition of grading monitoring is required because of the proximity of archaeological sites to the parcel and the alluvial nature of the soil near the San Luis Rey River. Therefore, it has been found that the proposed project complies with Section 86.604(g) of the RPO.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES
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NO
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NOT APPLICABLE
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Discussion:

The project Storm Water Management Plan, dated July 7, 2010 has been reviewed and is found to be complete and in compliance with the WPO.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES
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NO
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NOT APPLICABLE
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Discussion:

The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

Staff has reviewed map TPM21057 and Acoustical Site Assessment report prepared by Investigative Science and Engineering, Inc. (ISE) received on November 5, 2007. Project consists of the subdivision of 31.85 acres into four residential parcels and a remainder parcel. Future traffic noise impacts are primarily from Mission Road located adjacent to the project site to the east. Based on the model results within the noise report, no exterior noise mitigation is necessary for noise sensitive land uses. Future traffic noise levels will be as high as 55.9 dBA CNEL at the eastern pad edge of Parcel 4. The future traffic 60 dBA CNEL noise contour line will be located approximately 425 feet from the Mission Road centerline which falls at the eastern pad edge of the Remainder Parcel. The proposed pads within each parcel of the subdivision does not fall within the 60 dBA CNEL noise contour line. Staff recommends

a noise protection easement to ensure than any new proposal of noise sensitive land uses within the 60 dBA CNEL noise contour will comply with County noise standards. Due to the distance of Mission Road and the locations of pads within the project, the proposed subdivision will comply with the County of San Diego General Plan Noise Element, 4b.